

HOUSE No. 2077

The Commonwealth of Massachusetts

PRESENTED BY:

Jay R. Kaufman

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to access to epinephrine in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jay R. Kaufman	15th Middlesex
Bruce E. Tarr	First Essex and Middlesex
Thomas M. Stanley	9th Middlesex
Steven J. D'Amico	4th Bristol
Robert L. Rice, Jr.	2nd Worcester
John W. Scibak	2nd Hampshire
Allen J. McCarthy	7th Plymouth
Richard J. Ross	9th Norfolk
Cleon H. Turner	1st Barnstable
Karen E. Spilka	Second Middlesex and Norfolk
Kay Khan	11th Middlesex
Denise Provost	27th Middlesex
Jennifer M. Callahan	18th Worcester
Cory Atkins	14th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2130 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO ACCESS TO EPINEPHRINE IN SCHOOLS..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 71 of the General Laws is hereby amended by striking out section 54B, as
2 appearing in the 2002 Official Edition, and inserting in place thereof the following section:-

3 Section 54B. Notwithstanding any general or special law to the contrary, the department of
4 public health shall promulgate regulations governing the administration of medications,
5 including psychotropic medications to children in school settings, in accordance with sections
6 seven and nine of chapter ninety-four C. In developing such regulations, the department shall
7 consult with the board of registration in nursing and the board of registration in medicine.

8 Notwithstanding any general or special law or regulation to the contrary, no school district shall
9 prohibit students with asthma or other respiratory diseases from possessing and administering
10 prescription inhalers or students with life-threatening allergies from possessing and
11 administering epinephrine in accordance with department of public health regulations concerning
12 students' self-administration of prescription medications.

13 A school district must allow storage of epinephrine in a secure but unlocked place, as determined
14 by the school nurse, accessible only to authorized persons, located in every part of the school
15 grounds where an allergic student is most at risk such as classrooms and lunchrooms.

16 Notwithstanding any general or special law or regulation to the contrary, no school district shall
17 prohibit students with cystic fibrosis from possessing and administering prescription enzyme
18 supplements in accordance with department of public health regulations concerning students'
19 self-administration of prescription medications.

20 Notwithstanding any general or special law or regulation to the contrary, a school district shall
21 not prohibit a student with diabetes from possessing and administering a glucose monitoring test
22 and insulin delivery system, in accordance with department of public health regulations
23 concerning a student's self-administration of a prescription medication.